

1 UNITED STATES DISTRICT COURT

2 DISTRICT OF MINNESOTA

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4 Civil File No. 07-4929 (JMR/FLN)

5 Katie J. Felder, as trustee for the  
6 next of kin of Dominic Aries Felder,

7 Plaintiff,

8 vs.

9 Jason King, individually, and in his official  
10 capacity as a City of Minneapolis Police Officer;  
11 Lawrence Loonsfoot, individually, and in his  
12 official capacity as a City of Minneapolis Police  
13 Officer, and; the City of Minneapolis,

14 Defendants.  
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DEPOSITION OF JASON WAYNE KING,

taken before Rhonda Olynyk, a Notary Public in

and for the County of Scott, State of Minnesota,

on June 11, 2008, at the law offices of Schaefer Law

Firm, 1700 U.S. Bank Plaza, 220 South Sixth Street,

Minneapolis, Minnesota, commencing at 1:05 p.m.

\* \* \*

Rhonda Olynyk  
ANDERSON & ASSOCIATES  
247 Third Avenue South - Suite 7  
Minneapolis, Minnesota 55415  
(612) 338-8661 (651) 227-1223

ANDERSON & ASSOCIATES COURT REPORTERS  
(612) 338-8661 (651) 227-1223

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1 were given a loaner by the police department, weren't

2 you?

3 A. Yes.

4 Q. And then you asked for your gun back; is that right?

5 A. Yeah, I asked for it back.

6 Q. And they gave it to you?

7 A. Yes.

8 Q. Who gave it to you? Who gave it back to you? Who was

9 that?

10 A. Internal affairs released it.

11 Q. Internal affairs did. Okay.

12 Are you aware of any department policies that

13 state while a weapon like that used in a homicide is

14 not -- you know, you're supposed to use a -- be given

15 a loaner and use a loaner until the conclusion of any

16 claims or investigations?

17 A. No, I'm not aware of those.

18 Q. You're not aware of that. Okay.

19 You just wanted your gun back, and they said,

20 okay, here you go?

21 A. No. I didn't care either way.

22 Q. Okay.

23 A. I had the only model of that loaner the department

24 has, and another officer on the north side, his broke,

25 and he couldn't work until he got a gun, so that's

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1       why I asked for it back.

2       Q. Can I just see your -- can you just show me your

3       hand -- is that the same gun?

4       A. No.

5       Q. Oh, it's a different one. Never mind then. I don't

6       want to see it. I don't need to see it.

7       What happened to the weapon that was involved in

8       the shooting? You just got a different one or you

9       have more than one that you --

10      A. When I got it back, it never worked right again.

11      Q. Okay. Is it your testimony, sir, that -- well, never

12      mind.

13      At any time did you ever strike Mr. Felder on the

14      face or the side of his head?

15      A. No.

16      Q. Okay. Did Officer Loonsfoot?

17      A. Not that I recall.

18      Q. So when Officer Graham went up -- it's your testimony

19      that it was Officer Graham and not Officer Loonsfoot

20      or yourself that cuffed Mr. Felder?

21      A. From what I remember, yeah.

22      Q. Why would you cuff or put handcuffs on a dead person?

23      A. Because we don't know if he's dead or not.

24      Q. I thought you said that you're reasonably certain that

25      he was dead.